



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hill et al.

Examiner: Layno, Carl Hernandez

Serial No.: 10/768,999

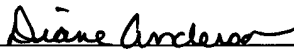
Group Art Unit: 3766

Filing Date: 01/30/2004

Docket No.: P-9091.06

Title: METHOD AND SYSTEM FOR NERVE STIMULATION PRIOR TO AND DURING A MEDICAL PROCEDURE

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2 day October, 2006.

  
\_\_\_\_\_  
Signature  
Diane M. Anderson  
\_\_\_\_\_  
Printed Name

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate Under 37 C.F.R. § 3.73(b)**

Your petitioner, Medtronic, Inc., a corporation of the State of Minnesota having a place of business at 710 Medtronic Parkway, Minneapolis, Minnesota, certifies that it is the exclusive owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/768,999), by virtue of an assignment recorded in the parent at R011182/F0696, on 09/26/2000, and in and to U.S. Patent Nos. 6,532,388; 6,718,208, by virtue of an assignment recorded at R011151/F0611, on 09/26/2000 and at R015569/F0532, on 09/26/2000.

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**TERMINAL DISCLAIMER**

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Serial N<sup>o</sup>. 10/768,999

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Title: METHOD AND SYSTEM FOR NERVE STIMULATION PRIOR TO AND DURING A MEDICAL  
PROCEDURE

The undersigned (whose title is supplied below) is empowered to act on behalf of  
Petitioner.

Documents establishing the chain of title of the subject patent application (including the  
aforementioned assignment and a notice from the Patent and Trademark Office noting its  
recording location) have been reviewed and I certify that, to the best of my knowledge and belief,  
title is in Petitioner.

**Terminal Disclaimer**

Petitioner hereby disclaims, except as provided below, the terminal part of any patent  
granted on the above-identified patent application that would extend beyond the expiration date  
of a full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the above-identified  
patent, not shortened by terminal disclaimer. Petitioner hereby agrees that any patent granted on  
the above-identified patent application shall be enforceable only for and during such period that  
the legal title to such patent and U.S. Patent Nos. 6,532,388; 6,718,208 are commonly owned.  
This agreement is to run with any patent granted on the above-identified patent application and to  
be binding upon the grantee, its successors and assigns.

**Limitations on the Disclaimer**

In making the above disclaimer, Petitioner does not disclaim any terminal part of any  
patent granted on the above-identified patent application prior to the expiration date of the full  
statutory term, not shortened by terminal disclaimer, of U.S. Patent Nos. 6,532,388; 6,718,208, if  
any or all such patents: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable  
or are found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or  
terminally disclaimed under 37 C.F.R. §1.321; (4) has all claims canceled by a reexamination  
certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full  
statutory term.

I hereby declare that all statements made herein of my own knowledge are true and that  
all statements made herein on information and belief are believed to be true; and further that  
these statements were made with the knowledge that willful false statements and the like so made  
are punishable by fine or imprisonment, or both under 18 U.S.C. §1001 and that such willful  
false statements may jeopardize the validity of the above-identified application or any patent  
issuing thereon.

**TERMINAL DISCLAIMER**

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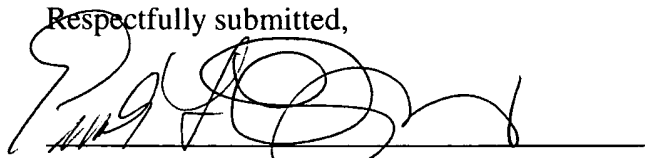
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Please charge \$130.00 to Deposit Account No. 13-2546 for the fee required by 37 C.F.R.  
§ 1.20(d). Please charge any additional required fees or credit any overpayment to Deposit  
Account No. 13-2546.

Date: 10/2, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Earle F. Kyle, IV', written over a horizontal line.

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